

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF VERMONT**

BLUE CROSS AND BLUE SHIELD OF  
VERMONT AND THE VERMONT HEALTH  
PLAN,

Plaintiffs,

v.

TEVA PHARMACEUTICAL INDUSTRIES  
LTD., TEVA PHARMACEUTICALS USA,  
INC., TEVA SALES AND MARKETING,  
INC., and TEVA NEUROSCIENCE, INC.,

Defendants.

**Civil Action No. 5:22-cv-00159**

**STIPULATED PROPOSAL REGARDING DOCKETING OF  
DISCOVERY MOTION FILINGS**

The parties submit the following proposal to govern docketing of discovery motion filings. The stipulated proposal seeks to address the Court's concern regarding docketing of all filings related to discovery motions and to reduce the burdens associated with multiple (and possibly unnecessary) motions to seal those filings. After conferring with the Special Master about this proposal, the parties request that the Court adopt the parties' proposal and enter the following on the docket:

1. Consistent with the current special master protocol dated October 4, 2024, a motion to compel or other discovery motion is filed with the special master, followed by any opposition and reply. The motion papers are not filed on the public docket at that time. When filing with the special master, the filing party will advise the special master and opposing counsel whether or not the filing contains material designated confidential.
2. While the motion is pending with the special master, the parties will confer regarding any confidentiality designations and will seek in good faith to reduce the need for sealed filings. Within two weeks after the last filing with the special master, the parties will

jointly advise the special master whether all or some of the confidentiality designations have been withdrawn.

3. The special master will serve her Recommendation on the parties (with a courtesy copy to the Court if that is the Court's preference). Any parties seeking to seal confidential material contained in the Recommendation shall notify the parties no later than three business days after receiving the Recommendation and provide a redacted version to the moving party.
4. *If no confidential material is included in the filings:* The moving party will file the Recommendation on the docket within four business days of receiving the Recommendation, attaching the original motion, opposition, and reply, and any exhibits, as attachments to the Recommendation.
5. *If confidential material is included in the filings:* The moving party will file the Recommendation, or the redacted Recommendation as appropriate, on the docket within four business days of receiving the Recommendation, attaching the original motion, opposition, and reply, and any exhibits, as attachments to the Recommendation, except that: if any filing or exhibit contains confidential material, the moving party will file a slipsheet (i.e., an otherwise blank piece of paper that says "Filed Provisionally Under Seal") indicating that the document has been filed provisionally under seal. Documents filed provisionally under seal will be emailed to chambers, copying the special master and opposing counsel. The purpose of filing documents provisionally under seal is to limit the burdens for the parties and the court associated with multiple sealing motions and redactions for a single substantive motion, particularly given the short time frames for these filings.
6. Any objection, response, and reply to a Recommendation of the special master will be filed on the docket by the deadlines set in ECF No. 109. If an objection, response, or reply includes confidential material, the party may file a slipsheet indicating that the document has been filed provisionally under seal. If filed provisionally under seal, the objection or response will be emailed to chambers, copying the special master and opposing counsel.
  - a. *If no objection is filed to the Recommendation:* Within three business days after the objection deadline passes, any party seeking to seal portions of the motion filings with the special master or the Recommendation will file an omnibus motion to seal that specifically identifies the material sought to be sealed. Once the motion is ruled on, public versions of any document filed provisionally under seal will be filed on the docket, redacted to the extent permitted by the Court's ruling.
  - b. *If an objection is filed to the Recommendation:* Within three business days after the deadline to reply to the objection, any party seeking to seal portions of the motion filings with the special master, Recommendation, objection, response, or reply to the objection will file an omnibus motion to seal that specifically

identifies the material sought to be sealed. Once the motion is ruled on, public versions of any document filed provisionally under seal will be filed on the docket, redacted to the extent permitted by the Court's ruling.

Dated: May 13, 2025

<p><i>/s/ Nikolas P. Kerest</i>  <i>Attorney for Plaintiffs</i></p>	<p><i>/s/ Alicia Rubio-Spring</i>  <i>Attorney for Defendants</i></p>
<p><b>APPROVED and SO ORDERED:</b></p> <p style="text-align: right;">_____  U.S. District Court Judge</p> <p>Date: _____</p>	